



"Brooks, Patrick J."
<PBrooks@ssd.com>
06/07/2006 08:50 PM

To Alan.Tenenbaum@usdoj.gov, vpowers@szd.com,
ssamuels@szd.com, LPutman@milbank.com
cc Elise.Feldman@usdoj.gov, cgibbons@szd.com, "Lerner,
Stephen D." <SLerner@ssd.com>, wvawest@ameritech.net,
TKreller@milbank.com, "Winters, Karen"
bcc

EPA Region 5 Records Ctr.



366976

Subject RE: CTA

Alan:

Also note that Mr. West has determined to serve a Custodial Trustee as opposed to using an entity. Thus, I made those changes including changing "its" to "his" in several instances.

-----Original Message-----

From: Alan.Tenenbaum@usdoj.gov [<mailto:Alan.Tenenbaum@usdoj.gov>]

Sent: Wednesday, June 07, 2006 7:58 PM

To: vpowers@szd.com; ssamuels@szd.com; LPutman@milbank.com; Brooks, Patrick J.

Cc: Elise.Feldman@usdoj.gov; cgibbons@szd.com; Lerner, Stephen D.; wvawest@ameritech.net; TKreller@milbank.com; Winters, Karen; garypie.catherine@epa.gov

Subject: RE: CTA

In 2.6b, Please change "if applicable" to "if Environmental Actions remain to be completed at the time of disposition" which is what I think you mean.

In 2.7, don't you mean upon termination of the Trust? The Agreement has several provisions relating to notices to parties and court and final report etc. that may occur after these events. Wouldn't this language override these duties?

I have not yet reviewed the figures you sent this afternoon to backup the 15%, but don't delay sending to States on that account.

You and the Committee were going to get back to me on sending me an email that our not objecting/agreement to the Trust Agreement's provisions on page 3 etc. would be without prejudice to our right to appeal the amount of Ohio funding under the Court's yet to be made ruling. But, again, don't delay sending to States for that reason.

-----Original Message-----

From: PBrooks@ssd.com [mailto:PBrooks@ssd.com]

Sent: Wednesday, June 07, 2006 6:46 PM

To: Tenenbaum, Alan (ENRD); vpowers@szd.com; ssamuels@szd.com;
LPutman@milbank.com

Cc: Feldman, Elise (ENRD); cgibbons@szd.com; SLerner@ssd.com;
wvawest@ameritech.net; TKreller@milbank.com; KWinters@ssd.com;
garypie.catherine@epa.gov

Subject: RE: CTA

Attached is a revised version.

Alan: We tweaked your 2.6 language slightly and I corrected a typo or two. Let me know if we are good to go.

Patrick